

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BAY MORTGAGE SERVICES, INC.,
Plaintiff,

v.

CIVIL ACTION
NO.04-12201-DPW

US BANCORP,
Defendant

SETTLEMENT ORDER OF DISMISSAL

WOODLOCK, District Judge

The Court having been advised this date that the above-entitled action has been settled with respect to all parties;

IT IS ORDERED that the above captioned matter be, and it hereby is, DISMISSED without costs and without prejudice to the right of any party upon good cause shown within 30 days, to reopen the action if settlement is not consummated, otherwise the parties shall file a Stipulation of Dismissal, Notice of Voluntary Dismissal, or an Agreement for Judgment with the Court no later than **January 16, 2005**

The conference previously set for December 20, 2004 is canceled in view of the settlement.

BY THE COURT,

/s/ Michelle Rynne

Deputy Clerk

DATED: December 16, 2004